

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Gentz et al.

Application Serial No 09/006,352

Filed: January 13, 1998

For: Tumor Necrosis Factor
Receptors 6 α & 6 β



Art Unit: 1632

Examiner: Hauda, K.

Attny Docket No.: PF454

9/A
Linda
9/21/00

**PROVISIONAL ELECTION WITH TRAVERSE UNDER 37 C.F.R. § 1.143,
RESPONSE TO NOTICE TO COMPLY WITH SEQUENCE RULES,
WITH STATEMENTS UNDER 37 C.F.R. § 1.821(f) AND 1.821(g), AND
AMENDMENT**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement dated December 22, 1999, and the accompanying Notice To Comply With Sequence Rules, and pursuant to 37 C.F.R. § 1.143, please consider the following provisional election, with traverse, enter the following amendments and consider the remarks below. Applicants submit herewith: (a) a Petition For Extension Of Time for five (5) months, with appropriate fee; (b) a Continued Prosecution Application (CPA) Request Transmittal; (c) a paper copy of the Sequence Listing; (d) a copy of the Sequence Listing in computer readable form; (e) a copy of the Notice To Comply With Sequence Rules; (f) a Submission of Formal Drawings and twenty-two (22) sheets of Formal Drawings containing Figures 1, 2A-B, 3A-P, and 4-6; (g) a Supplemental Information Disclosure Statement with revised Form PTO/SB/08 and copies of references AA-AF; and (h) Power of Attorney By Assignee of Entire Interest/Revocation of Prior Power of Attorney.

In the Specification:

On page 4, line 14, please delete "2" and insert in its place —2A-B—;

line 22, please delete "Figure 3" and insert in its place —Figures 3A-P—; and

line 26, please delete "2" and insert in its place —2A-B—.

Please type a plus sign (+) inside this box →



PTO/SB/29 (2/98)

Approved for use through 09/30/00. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

#8
Linda

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing. Check Box, if applicable
(Only for Continuation or Divisional applications under 37 CFR § 1.53(d)) ☒ Duplicate

Address to:

Assistant Commissioner for Patents
Box CPA
Washington, D.C. 20231

Attorney Docket No.

PF454

First Named Inventor

Gentz, et al.

Examiner Name

Hauda, K.

Group/Art Unit

1632

Express Mail Label No.

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. § 1.53(d), (continued prosecution application (CPA)) of prior application number: 09/006,352 filed on January 13, 1998 entitled Tumor Necrosis Factor Receptors 6 Alpha and 6 Beta

NOTES

Filing Qualifications: the prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR § 1.51(b), or (2) the national stage of an international application in compliance with 35 USC 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P Not Permitted: A continuation-in-part application cannot be filed as a CPA under 37 CFR § 1.53(d), but must be filed under 37 CFR § 1.53(b).

Express Abandonment of Prior Application: the filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

Access to Prior Application: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 USC 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 USC 120 Statement: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 USC 120 and to every application assigned the application number identified in such request. 37 CFR § 1.78(a).

1. ☐ Enter the unentered amendment previously filed on _____ under 37 C.F.R. § 1.116 in the prior nonprovisional application.
2. ☒ An amendment is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
 - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application;

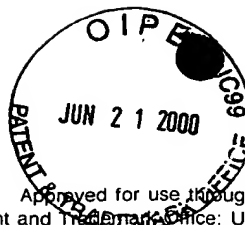
 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☒ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. ☒ Supplemental Information Disclosure Statement (IDS) is enclosed.
 - a. ☒ PTO-1449 (Revised Form PTO/SB/08)
 - b. ☒ Copies of IDS Citations (Refs. AA-AF)

[Page 1 of 2]

06/22/2000 SLUANG 00000023 083425 09006352

01 FC:131 690.00 CH
02 FC:102 2184.00 CH
03 FC:103 4806.00 CH

Please type a plus sign (+) inside this box →



PTO/SB/29 (2/98)

Approved for use through 09/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TYPE	NO. FILE	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	287	-20	267	\$18.00 each	4806.00
Independent	31	-3	0	\$78.00 each	2184.00
Minimum Fee					690.00
Multiple Dependency Fee if applicable (\$260.00)					
Total Filing Fee					7680.00

6. ☐ Small entity status:
- a. ☐ A small entity statement is enclosed, if (b) and (c) do not apply.
 - b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
 - c. ☐ Is no longer claimed.
7. ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 08-3425:
- a. ☒ Fees required under 37 CFR § 1.16
 - b. ☐ Fees required under 37 CFR § 1.17
 - c. ☐ Fees required under 37 CFR § 1.18
8. ☐ A check in the amount of \$ _____ is enclosed.
9. ☒ Other: Provisional Election with Traverse Under 37 CFR 1.143, Response to Notice to Comply with Sequence Rules, with Statement under 37 CFR 1.821(f) and 1.821(g) and Amendment
 Petition for Extension of Time (5 mos.)
 Substitute Sequence Listing in paper (26 pages) and computer-readable forms
 Submission of Formal Drawings and twenty-two (22) sheets of Formal Drawings containing Figs. 1, 2A-B, 3A-P, and 4-6.
 Power of Attorney by Assignee of Entire Interest/Revocation of Prior Power of Attorney
 Copy of Notice to Comply with Sequences Rules

NOTE: The prior applications' correspondence address with carry over to this CPA UNLESS a new correspondence address is provided below.

10. NEW CORRESPONDENCE ADDRESS					
Name	Jonathan L. Klein, Attorney for Applicants Human Genome Sciences, Inc.				
Address	9410 Key West Avenue				
City	Rockville	State	MD	Zip Code	20850
Country	US	Telephone	301-251-6015	Fax	301-309-8439

11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
Name (Print/Type)	Jonathan L. Klein
Signature	
Registration No. (Attorney/Agent)	41,119
Date	JUNE 21, 2000